

WO

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Janice L. Lutz,)	No. CV-12-2487-PHX-LOA
)	
Plaintiff,)	ORDER
)	
v.)	
)	
Carolyn W. Colvin, Acting Commissioner)	
of Social Security Administration ,)	
)	
Defendant.)	
)	

This case arises on the parties’ Joint Stipulation to Attorney Fees Under the Equal Access to Justice Act, requesting an order approving a stipulated amount of attorney’s fees to Plaintiff under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412(d). (Doc. 35) The stipulated amount of \$7,500.00 represents compensation for all legal services rendered on behalf of Plaintiff by her counsel in connection with this Social Security action, in accordance with 28 U.S.C. §§ 1920, 2412(d). (*Id.*)

This award is without prejudice to Plaintiff’s right to seek attorney fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), subject to the offset provisions of the EAJA. However, this award shall constitute a complete release from and bar to any and all claims Plaintiff may have relating to EAJA fees and expenses in connection with this action. Further, such award shall not be used as precedent in any

1 future cases, nor be construed as a concession by the Commissioner that the original
2 administrative decision denying benefits to Plaintiff was not substantially justified.

3 Under *Astrue v. Ratliff*, 130 S. Ct. 2521, 2528-29 (2010), EAJA fees awarded by
4 this Court belong to the Plaintiff and are subject to offset under the Treasury Offset
5 Program, 31 U.S.C. § 3716(c)(3)(B) (2006). The Court orders that the EAJA fees be
6 paid to Plaintiff and delivered to Plaintiff at the following address:

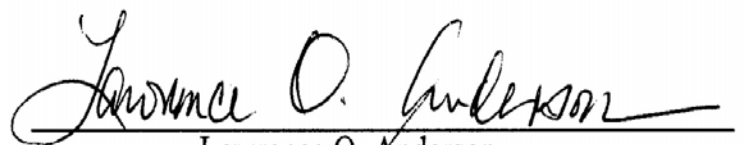
7 Janice Lutz
8 910 North Center, Apt. 17
9 Mesa, AZ 85201

10 Based upon the parties' Stipulation for Award of EAJA Fees, doc. 35, and good
11 cause appearing,

12 **IT IS ORDERED** that the parties' Stipulation for Award of EAJA Fees, doc.
13 35, is **GRANTED**. EAJA fees are hereby awarded to Plaintiff in the amount of Seven
14 Thousand Five Hundred Dollars and 00/100 (\$7,500.00) subject to the terms of the
15 parties' stipulation.

16 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Attorney Fees
17 Pursuant to The Equal Access to Justice Act, doc. 32, is **DENIED** as moot.

18 Dated this 12th day of June, 2014.

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22 Lawrence O. Anderson
23 United States Magistrate Judge
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